

**CBSC STAFF REPORT**  
**2004 Annual Cycle Monograph Item 19**

**PROPOSING STATE AGENCY:**

Division of the State Architect-Structural Safety (DSA SS 03/04)

**APPLICATION AFFECTED:**

State-owned and state-leased essential services buildings and public elementary and secondary schools and community colleges

**SUBJECT:**

Adopt the most recent edition of the model code in effect at the submittal of the 2004 Annual Cycle, the 2003 Uniform Plumbing Code (UPC), and repeal the 2000 UPC.

- Amend water heater bracing provisions in Chapter 5 to correlate seismic design categories with those in the building code

**FINDINGS:**

**CBSC Code Advisory Committee Comments/Recommendations**

CBSC's Plumbing, Electrical, Mechanical, and Energy (PEME CAC) recommended approve as submitted and resubmitted. In Item 19-5, PEME CAC recommended, and DSA/SS initially concurred, to remove existing amendments for PEX piping. This was later determined to be outside of the scope of the rulemaking, and DSA/SS finally proposed no change to its existing amendments.

(See pages 3-175 through 3-185 of the May, 2005 Code Change Monograph, Volume III.)

**Public Comment**

Voluminous public comment was received concerning DSA/SS' adoption of model code provisions for PEX-AL-PEX piping as well as for its continued prohibition of PEX piping. (See pages 114 through 115 of the October, 2005 Public Comment Monograph and CD of reference material.)

**Staff Findings**

DSA/SS has been unable to respond to the voluminous public comment in order to complete rulemaking.

**COMMISSION ACTION:**

Since DSA/SS is unable to complete rulemaking within the time frame established by California rulemaking law, CBSC staff recommends that the Commission disapprove the submittal of Item 19 as incomplete.

- ❖ **Approve**
- ❖ **Disapprove**
- ❖ **Approve as Amend**
- ❖ **Further Study**